

In light of the current public health crisis and the Federal, State and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo., the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Aldermen will not be open to public attendance in person. The meeting will be accessible by the public in real time ONLY by following the instructions in the box below.

You are invited to a Zoom webinar.

When: July 28, 2020 6:00 PM Discussion Session; 7:00 P.M. Meeting

Topic: 07/28/2020 Board of Aldermen Meeting.

Please click this URL to join:

<https://us02web.zoom.us/j/87619981326>

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 876 1998 1326

International numbers available: <https://us02web.zoom.us/j/87619981326>

Persons interested in making their views known on any matter on the agenda should send an email with their comments to the City Clerk at jfrazier@claytonmo.gov. All comments received will be distributed to the entire Board before the meeting.

Thank you for your understanding and patience as we all try to get through these difficult and dangerous times.

CITY OF CLAYTON BOARD OF ALDERMEN
DISCUSSION SESSION
TUESDAY, JULY 28, 2020
VIRTUAL ZOOM MEETING
CLAYTON, MO 63105
6:00 P.M.

1. Update on Fiscal Year 2021 Budget Process
-

CITY OF CLAYTON BOARD OF ALDERMEN
TUESDAY, JULY 28, 2020
VIRTUAL ZOOM MEETING
CLAYTON, MO 63105
7:00 P.M.

ROLL CALL

MINUTES – July 14, 2020

PUBLIC REQUESTS & PETITIONS

CITY MANAGER REPORT

1. Motion – To approve a liquor license for Katerina's LLC d/b/a Katerina's Greek Kitchen located at 7822 Bonhomme Avenue.
2. Motion – To approve a liquor license for 7676 Forsyth LLC, d/b/a Tony's located at 105 Carondelet Plaza.
3. Ordinance – To authorize a Small Vehicle Sharing Program in cooperation with other municipalities. (Bill No. 6802)
4. Motion – To approve appointments to the Boards and Commissions.
5. Appeal – Findings on the ARB Decision to approve a garage addition for 747 Middle Polo Drive.

EXECUTIVE SESSION

ADJOURNMENT

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
July 14, 2020
7:00 p.m.

Minutes

NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Joanne Boulton, Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, and Dan Sokol.

Mayor Harris
City Manager Gipson
City Attorney O'Keefe

Motion made by Alderman Boulton to approve the June 23, 2020 minutes. Alderman Lintz seconded.

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

A RESOLUTION TO CONSIDER APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR INCLUSION IN THE FY 2021 PROPOSED BUDGET DOCUMENT

City Manager Gipson reported that at the June 23, 2020, discussion session, staff presented the Board of Aldermen with the recommendations for the funded projects in the five-year Capital Improvements Plan (fiscal years 2021 – 2025). After discussion regarding specific projects, the Board made no changes to the recommended project list at that meeting.

The Capital Improvements Plan, once approved, will be incorporated into the proposed City budget document and will be a part of the public hearing process prior to budget approval.

Motion made by Alderman Boulton to approve Resolution No. 2020-09, the 5-Year Capital Improvements Plan for the FY2021 proposed budget. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

A MOTION TO ELECT MAYOR PRO TEMPORE

City Manager Gipson reported that Per the City of Clayton Charter, Article II, Section 2, the Board of Aldermen shall elect from among the aldermen a mayor pro-tempore, who shall act as mayor in the absence of the mayor.

Alderwoman Joanne M. Boulton has been nominated by Mayor Harris to be appointed as Mayor Pro Tempore.

Motion made by Alderman Lintz to approve the appointment of Aldermen Joanne M. Boulton as Mayor Pro Tempore. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

MOTION TO CONSIDER APPROVING THE ALDERMANIC APPOINTMENTS TO THE BOARDS AND COMMISSIONS

City Manager Gipson reported that in order to be consistent with the *Charter* requirements all appointments/assignments to the Boards and Commissions requires approval by the Board of Aldermen. The following assignments are proposed by Mayor Harris:

Clayton Century Foundation

Alderwoman Joanne Boulton
Alderwoman Bridget McAndrew

CRSWC

Alderman Ira Berkowitz
Alderwoman Bridget McAndrew

Plan Commission/ARB

Alderman Rich Lintz

Economic Development Advisory Committee

Alderwoman Susan Buse
Alderman Dan Sokol

Parks & Recreation Commission

Alderwoman Bridget McAndrew
Alderman Ira Berkowitz

Public Art Advisory Committee

Alderman Rich Lintz

Non-Uniformed Employees Retirement Fund Board

Alderman Rich Lintz
Alderman Dan Sokol

Uniformed Employees Retirement Fund Board

Alderwoman Joanne Boulton
Alderman Dan Sokol

Sustainability Committee

Alderwoman Susan Buse
Alderman Dan Sokol

Clayton Equity Commission

Alderwoman Susan Buse
Alderwoman Joanne Boulton

Other

Mayor Michelle Harris- Municipal League of St. Louis County

Motion made by Alderman Boulton to approve the aldermanic appointments to the Boards and Commissions. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

APPEAL OF THE ARCHITECTURAL REVIEW BOARD'S DECISION TO APPROVE A GARAGE ADDITION AT 747 MIDDLE POLO DRIVE

City Manager Gipson reported that This is a request for an appeal of the May 4, 2020 Plan Commission/Architectural Review Boards' (PC/ARB) decision to approve the development plans

for a garage addition located at 747 Middle Polo Drive. On May 18, 2020, William Burris, DBK Trust, LLC, who resides at 733 Middle Polo Drive, filed an appeal with the City of Clayton. (copy of report provided in the Board meeting agenda packet)

City Attorney O'Keefe explained the appeal process as it is heard before the Board.

J. Vincent Keady, Attorney, representing, Ken and Laurie Aston, owners of 747 Middle Polo Drive, was in attendance requesting that the Board deny the appeal.

Ken and Laurie Aston, owners of 747 Middle Polo Drive, were in attendance expressing their appreciation to the City and to the staff.

William Burris, DBK Trust, LLC, resident of 733 Middle Polo Drive was not in attendance. NOTE: A request for representative in attendance was called three (3) times, which was unanswered. The City Clerk confirmed that an email was sent to Mr. Burris of notification on the meeting.

Alderman Boulton commented that the architect did a good job on the design of the garage.

Other

Alderman Boulton reported:

- Community Equity Commission (CEC) - good meeting; general response was very positive.

Alderman Lintz reported:

- Plan Commission/ARB - there may be a possible appeal on project on Polo Drive which a pool and a pavilion/sports court was approved.

Alderman McAndrew reported:

- Economic Development Advisory Committee (EDAC); provided a summary of the scheduled/cancelled events due to COVID-19.
- Clayton Community Foundation (CCF)

Alderman Buse reported:

- EDAC
- CEC – Guiding Principles adopted by the CEC – sending a copy electronically to the Board.

Mayor Harris reported:

- Announced that City Manager Gipson was elected as President of the ICMA-St. Louis region – Congratulations!
- Cultural Festivals – The Art Fair will be provided virtually this year due to COVID-19.
- Participated in a walk-around tour by H3.
- Announced that she has been appointed to the newly formed St. Louis County Economic Rescue Team; the Team will recommend ways to use COVID-19 relief funds to help boost the county's economy and review county regulations for businesses to see how government can work more efficiently.

Motion made by Alderman Sokol that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman McAndrew seconded the motion.

The motion passed on a roll call vote: Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Sokol – Aye; and Mayor Harris – Aye.

There being no further regular business the meeting adjourned at 8:00 p.m.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: DAVID GIPSON, CITY MANAGER
JANET K. WATSON, DIRECTOR OF FINANCE & ADMINISTRATION
DATE: JULY 28, 2020
SUBJECT: MOTION - A LIQUOR LICENSE FOR KATERINA'S, LLC DBA KATERINA'S
GREEK KITCHEN LOCATED AT 7822 BONHOMME AVENUE

Katerina's, LLC d.b.a. Katerina's Greek Kitchen is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sundays, at 7822 Bonhomme Avenue.

The Police Department has completed its review of the application and supports the issuance of the requested license. The Planning and Development department has also approved the application with no objections.

The applicant has chosen not to submit a petition from surrounding property owners and first floor tenants. As a result, they are aware that this application must have a super majority vote of five Board members in order to be approved. Staff has requested that a representative be in attendance at the meeting.

Recommended Action: Staff recommends passing a motion to approve the liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sundays.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: DAVID GIPSON, CITY MANAGER
JANET K. WATSON, DIRECTOR OF FINANCE & ADMINISTRATION
DATE: JULY 28, 2020
SUBJECT: MOTION - A LIQUOR LICENSE TO SELL ALL KINDS OF INTOXICATING LIQUOR AT RETAIL BY THE FOR 7676 FORSYTH, LLC DBA TONY'S AT 105 CARONDELET PLAZA

7676 Forsyth, LLC d.b.a. Tony's is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, except Sundays, at 105 Carondelet Plaza.

The Police Department has completed its review of the application and supports the issuance of the requested license. The Planning and Development department has also approved the application with no objections.

The applicant has chosen not to submit a petition from surrounding property owners and first floor tenants. As a result, they are aware that this application must have a super majority vote of five Board members in order to be approved. Staff has requested that a representative be in attendance at the meeting.

Recommended Action: Staff recommends passing a motion to approve the liquor license to sell all kinds of intoxicating liquor at retail by the drink, except Sundays.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: DAVID GIPSON, CITY MANAGER
DATE: JULY 28, 2020
SUBJECT: ORDINANCE – AUTHORIZING A SMALL VEHICLE SHARING PROGRAM IN COOPERATION WITH OTHER MUNICIPALITIES

Following the Board of Aldermen's discussion regarding small vehicle regulations on April 17, 2020, Staff reached out to the Cities of Brentwood, Maplewood, and Richmond Heights to request their consideration of incorporating Clayton into the Small Vehicle Share Program Intergovernmental Agreement (Agreement). The three cities agreed that adding the City of Clayton would be beneficial to the partnership.

The Agreement will optimize the efficiency for processing applications, provide vendors with consistent regulations while simplifying the application process, and allow for effective enforcement of the program across multiple jurisdictions. The City of Clayton will retain the ability to establish geofences and other operational restrictions unique to our jurisdiction.

On behalf of all participating cities, the City of Brentwood will administer the permit to any interested vendors. The annual permit fee charged to operators will be \$2,300 (\$575.00/per city).

RECOMMENDATION:

Staff recommends approving the Intergovernmental Cooperation Agreement.

AN ORDINANCE AUTHORIZING A SMALL VEHICLE SHARING PROGRAM IN THE CITY OF CLAYTON, MISSOURI, IN COOPERATION WITH OTHER MUNICIPALITIES AND APPROVING A FEE SCHEDULE IN CONNECTION THEREWITH

WHEREAS, the cities of Brentwood, Clayton, Maplewood, and Richmond Heights wish to cooperate with one another to provide a small vehicle sharing program throughout those municipalities and in cooperation with other municipalities who may adopt similar programs; and

WHEREAS, Section 70.220 RSMo authorizes cities to work in a cooperative manner; and

WHEREAS, cooperation among the cities will provide a more efficient and enhanced service for the City and result in a reduction of the costs incurred by the City for the provision of the program;

WHEREAS, the City of St. Louis has developed a bike and small vehicle sharing program upon which the Cities may similarly permit the use of bikes and other small vehicle sharing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AS FOLLOWS:

SECTION 1. The SMALL VEHICLE SHARING PROGRAM, in cooperation with the Cities of Brentwood, Maplewood, and Richmond Heights, attached hereto and incorporated herein, as **Exhibit A** is hereby approved. The program documents as executed shall be in substantially the form of **Exhibit A**, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Ordinance and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Manager and her designees are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Ordinance, the matters herein authorized, and the rights and duties of the City under the Agreement. The fee schedule set out in Exhibit A is hereby approved.

SECTION 2. In the event that the Cities of Brentwood, Maplewood, and Richmond Heights do not adopt a substantially equivalent ordinance authorizing a representative to execute the Agreement in substantially the same form as executed by the City hereunder, this ordinance and any and all actions taken pursuant hereto may be revoked.

SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this _____ day of _____, 2020.

MICHELLE HARRIS
MAYOR

ATTEST:

JUNE FRAZIER
CITY CLERK

KEVIN O'KEEFE
CITY ATTORNEY

Exhibit A

INTERGOVERNMENTAL COOPERATION AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (the “Agreement”), THAT OUTLINES THE PERMIT AND PERMIT APPLICATION FOR A SMALL VEHICLE SHARE PROGRAM, WHICH WILL OPERATE WITHIN THE CITY OF BRENTWOOD, CITY OF CLAYTON, CITY OF MAPLEWOOD AND THE CITY OF RICHMOND HEIGHTS, is entered into on the effective date hereinafter set forth, by and between the City of Brentwood, Missouri (“Brentwood”), City of Clayton, (“Clayton”), City of Maplewood (“Maplewood”) and the City of Richmond Heights (“Richmond Heights”) (collectively: “Cities”):

WITNESSETH

WHEREAS, a goal of Brentwood, Clayton, Maplewood and Richmond Heights is to provide safe and affordable multi-modal transportation options to all residents, reduce traffic congestion, and maximize carbon free mobility; and

WHEREAS, the Cities wish to cooperate with one another to provide a small vehicle share program throughout their municipalities; and

WHEREAS, cooperation among the Cities will provide a more efficient and enhanced service to their respective communities; and

WHEREAS, Chapter 70 of the Revised Statutes of Missouri authorizes joint exercise by two or more local governments of any power common to them; and

WHEREAS, it is the desire of the Cities to enter into this Agreement to protect the health, safety and welfare of their citizens.

NOW, THEREFORE, for and in consideration of the premises, the mutual advantages to be derived therefrom and in consideration of the mutual covenants herein contained, it is agreed by and between the parties hereto as follows:

1. Cooperative Agreement Established. Pursuant to the joint powers authorization of Chapter 70 of the Revised Statutes of Missouri, the undersigned Cities hereby enter into a

cooperative agreement to outline the specific responsibilities and reimbursement process for the Small Vehicle Share Program.

2. Description of Permit Requirements. The Small Vehicle Share Program consists of, but is not limited to the standards, procedures, requirements and terms described on and incorporated in the *Permit Requirement* document (Exhibit #1) and *Permit* application/issuance form (Exhibit #2) attached hereto and incorporated herein by this reference as if fully and completely set forth herein.
3. Brentwood Action and Responsibility. Brentwood will administer the permitting functions for the Small Vehicles Share Program on behalf of the three municipalities. In addition, Brentwood will be responsible for collecting permit fees and distributing the proceeds thereof to the Cities equally.
4. Obligations of all Cities. The City Managers/Administrators, or their designees, of the Cities shall approve, by majority vote, the Permit Recommendation from the City of Brentwood when an application is received.

The City Managers/Administrators, or their designees, of the Cities shall attend any hearing of any permit holder in regard to increase of fleet size or discipline of a permit.

5. Enforcement. Each City shall have the right to enforce this Agreement against another City. If in conjunction with enforcing this Agreement, legal action is necessary, the defaulting City shall pay reasonable attorney's fees as adjudicated by the Court. The laws of the State of Missouri shall apply to the interpretation and enforcement of this Agreement. The Cities consent to the exclusive jurisdiction of the Circuit Court of St. Louis County, Missouri to resolve any and all conflicts that arise from this Agreement or are contemplated by this Agreement. The language used in this Agreement shall be deemed to be language chosen by all Cities to express their mutual intent, and no rule of strict construction against any City shall apply to any term or condition of this Agreement.

6. Entire Agreement. This constitutes the entire agreement between the Cities and supersedes all previous discussions and agreements and may not be modified by any City except in writing, executed by each City.
7. Voluntary Agreement. This Agreement is freely and voluntarily executed by the Parties hereto, without any duress or coercion, and after each Party has had the opportunity to consult with its counsel. Each Party has carefully and completely read all of the terms and provisions of this Agreement.
8. Effective Date and Duration. This Agreement shall be effective July 15, 2020, and shall continue in perpetuity unless terminated or renegotiated by the parties.

Any City may request renegotiation of this Agreement at any time.

Any City may terminate its participation in this Agreement, with or without cause and for its own convenience, upon 120 days written notice to the other Cities.

9. Authorization. Prior to the execution of this Agreement, each City shall deliver to the others a certified copy of a suitable ordinance or resolution authorizing the execution of the execution of this Agreement.

IN WITNESS WHEREOF, the undersigned have set their signatures on the respective dates set forth below. This document may be signed in duplicate originals.

CITY OF BRENTWOOD, MISSOURI

Attest:

By: _____

Date: _____

City Clerk

CITY OF CLAYTON, MISSOURI

Attest:

By: _____

Date: _____

City Clerk

CITY OF MAPLEWOOD, MISSOURI

Attest:

By: _____

Date: _____

City Clerk

CITY OF RICHMOND HEIGHTS, MISSOURI

Attest:

By: _____

Date: _____

City Clerk

Permit Requirements



Small Vehicle Share Program
City of Brentwood
City of Clayton
City of Maplewood
City of Richmond Heights
July 15, 2020

Please submit applications to:

City of Brentwood
Parks & Recreation Department
2505 S. Brentwood Blvd.
Brentwood, MO 63144
Phone: 314.963.8689

1.0 General Information

Project Title and Location

Title: City of Brentwood, Clayton, Maplewood & Richmond Heights Small Vehicle Share Program

Location: The project is envisioned for phased implementation across the cities of Brentwood, Clayton, Maplewood and Richmond Heights.

Inquires and Project Management: All communications concerning this permit shall be directed to the permitting entity. The permitting entity is:

City of Brentwood
Parks & Recreation Department
Attention: Operations Superintendent
2505 S. Brentwood Blvd.
Brentwood, MO 63144
mcurcuru@brentwoodmo.org

2.0 Background

Vendors are required to read and understand all information contained within this entire *Permit Requirements* document and the *Permit* application/issuance form attached hereto. By applying for a Permit, the vendor agrees to read and comply with all terms, conditions, standards and requirements of the Program.

Purpose: A permit for the Small Vehicle Share Program is issued by the City of Brentwood, Missouri, through the City of Brentwood Parks and Recreation Department, on behalf of the cities of Brentwood, Clayton, Maplewood, and Richmond Heights. The Cities of Brentwood, Clayton, Maplewood and Richmond Heights (hereinafter referred to as “the Cities”) are interested in implementing a multi-year Small Vehicle Share program. The goal of the program is focused on the 11 goals listed below for the citizens of their respective cities and for those who visit their cities. The Cities are open to applications from qualified vendors regarding small vehicle share solutions. Applications should be from vendors with previous experience implementing and supporting a vehicle share program.

The Goal of the Small Vehicle Share Program includes:

1. Enhance the public transit network
2. Promote travel to landmarks, parks, trails, and shopping districts
3. Improve the Cities’ image and attract new residents and businesses
4. Increase physical activity to benefit public health
5. Increase access to job opportunities and education
6. Expand mobility options for low-income neighborhoods
7. Create an equitable and accessible system for all races, income levels, cultures, and abilities
8. Use vehicle share to leverage more vehicle infrastructure
9. Serve visitors and tourists to maximize revenue

10. Connect neighborhoods across racial, cultural, and physical divides
11. Improve air quality and reduce motor vehicle traffic

The Cities are permitting qualified companies, organizations, vendors, or other entities to design, build, operate, maintain, manage, and market a modern small vehicle share system through a network of publicly-accessible small vehicles located throughout the city. Ideally, this system would enable the public to access shared small vehicles available in the public right-of-way or on public or publicly accessible private property as an extension of the public transportation system and as a new mobility option for residents and visitors to our cities. This system could be dockless, with free-standing vehicles that don't require racks or stations; station-based, where vehicles are checked out from a station and returned to another station; or a blend of the two system types. The system is anticipated to be available to the public 24- hours per day, 7 days per week. The system could be expanded in phases.

The St. Louis region benefits from the nationally-acclaimed "Metro" public transportation system run by Bi-State Development Agency. There are currently 46 miles of light rail tracks and 37 light rail stations in the City of St. Louis, St. Louis County, and St. Clair County in Illinois. Next year, the 38th station will begin operation in the Cortex District, responding to the demand generated by that new economic development engine. There are also 79 MetroBus routes and a paratransit service for the elderly and disabled. The City of St. Louis has built over 133 miles of bike facilities, and Great Rivers Greenway, a regional governmental agency voted into being through a sales tax in 2000, has built over 113 miles of bike and pedestrian greenways throughout the region. The City of St. Louis was awarded Silver Level Bike Friendly Community by the League of American Bicyclists in May 2017.

Small Vehicle Share programs are fast becoming an expected mobility option in American cities, complementing other mobility options, resulting in reduced car usage, increased rates of transit use, lower parking demand, increased sales for local small businesses, and improved public health, among other positive outcomes. In St. Louis, vehicle sharing will address first-mile/last-mile concerns related to public transportation, reduce unnecessary car traffic in congested areas, draw more visitors to the city, and help visitors travel between attractions.

3.0 Permit Requirements

A permit allows small shared vehicles and/or stations to be located primarily in the public right-of-way as well as on public property and publicly-accessible private property, in coordination with the City and station/system sponsors.

Term and Size:

- Permits must be renewed yearly. The Cities reserve the right to revise the Program and permit requirements from time to time to accommodating changing technology, needs, and priorities.
- The minimum fleet size upon launch is 100 vehicles, equally distributed amongst all three cities. The fleet may then expand to 250 vehicles in the first year of operation. If the company can demonstrate an upward trend in rides per vehicle per day and has

implemented their education plan, then the Superintendent of Operations can approve an increase in fleet size. The Cities would like to see at least 2 rides per vehicle per day and/or other metrics analyzing vehicle usage to be considered for an increase in a fleet above 250 vehicles. Permitted operators shall notify the Cities if they plan to change their fleet size two weeks before deployment; and include payment for the additional fee for the expanded fleet.

Maintenance and Safety:

The small shared vehicles and/or stations will be maintained to a high standard of function and cleanliness. The Vendor will be solely responsible for maintenance of the stations, the vehicles, technology, locking systems, advertising, and any other elements of the Vehicle Share system.

- All bicycles used in systems permitted under this permit Program shall meet the standards outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles. Additionally, permitted systems shall meet the safety standards outlined in ISO 43.150 – Cycles, subsection 4210
- Each vehicle must comply with all applicable State and local laws, including any required front and rear lights, bell, and reflectors
- Each vehicle must be equipped with a locking mechanism and/or smart technology equipment to prevent theft, as well as permanently affixed real-time GPS tracking device in order to track ridership data, owned and provided by the vehicle share operator
- Vehicles must have always-on front and back lights that are visible from a distance of at least 300 feet under normal atmospheric conditions at night. Front and rear lights must stay illuminated for at least 90 seconds after the vehicle has stopped
- All permitted systems shall have visible language that notifies the user that:
 - Helmet use is encouraged while riding a bicycles/ scooters.
 - Bicyclists shall yield to pedestrians.
 - When riding on-street, follow the rules of the road and follow all motor vehicle laws and ordinances of the Cities
- All Vehicles Share operators permitted shall have a 24-hour phone number clearly on each vehicle for customers to report safety and maintenance concerns, complaints, or ask questions. Vehicles will have a unique identifier that is visible to the user. Vehicles not safe to operate will be removed from the public way within 24 hours of notice and repaired before being put back into service. Vehicle Share operators must have a staffed operations center in the St. Louis Metropolitan Area with no fewer than 6 full time employees (or full-time equivalents) and must provide the Cities with a direct contact located in the Metro Area capable of ensuring the rebalancing and maintenance of the vehicles.

Right of Way:

The Vehicle Share operators will work to make sure the vehicles and/or stations do not impede the regular flow of travel in the public right of way and maintain an orderly appearance.

- Vehicles shall be upright when parked.
- Vehicles shall not be parked in a way that impedes the regular flow of travel in the public way, or in a way that impedes the 5 feet clearance on sidewalks reserved for ADA compliance. Legal parking locations include adjacent to landscape areas and in furniture zones and in any bicycle rack in the public right of way.

- Vehicles must be parked to maintain unimpeded access to entrances to private property or driveways.
- Vehicles must be parked to maintain vehicular travel area for any size vehicle.
- Vehicles must be parked outside of any protected tree planting or landscaped area.
- For station-based vendors, stations should be located primarily within the public right-of-way, along public streets and sidewalks. Stations may also be located on other public property, including parks, trails, parking lots/garages, events venues, etc., or be located on private property, provided that the public or private property owner agrees to allow 24/7 public access to the Vehicle Share station. The Cities must approve the location of every station in the system (within City limits) in writing and the Vehicle Share operator must work with the Cities to identify the desired area(s) and station spacing for each implementation phase, including ongoing system refinement.
- The Cities reserves the right to add designated parking areas or restrict vehicle parking within certain areas.
- The Cities retains the right to create geo-fenced stations within certain areas where vehicles shall be parked.
- Vehicle Share operators are responsible for informing customers how to park the vehicle correctly within public rights of way, city and national parks, and institutions. Vehicle Share operators will provide a plan on how they will incentivize customers to park safely and correctly.
- Vehicles parked in violation of a permit or other Federal, State or City Codes or are vandalized or inoperable shall be re-parked in a correct manner or removed in accordance to the following times:
 - 6am-6pm Mon-Fri (holidays excluded) – within 2 hours of receiving notice.
 - All other times – within 10 hours of receiving notice.
 - During Special Events vehicle share operators may ask permission from the Operations Superintendent for a variance to these time restrictions.
- Vehicle Share operators will rebalance vehicle deployment to improve usage and spread/social equity outcomes.
- Any free-floating vehicle that is parked in one location for more than seven (7) consecutive days without moving must be evaluated and/or moved by the vehicle share system provider. If the vehicle remains in one location after 7 days, it may be removed by the Cities and taken to a City facility for storage at the expense of the vehicle share operator. The vehicle share operator will be notified prior to the removal of their equipment unless it is an obstruction, interference or an emergency.
- If the Cities incur any costs addressing or abating any violations of these requirements or incur any costs of repair or maintenance of public property, upon receiving written notice of the costs, the permitted operator shall reimburse City for such costs within thirty days.
- Vehicle Share Operators will attend an onsite meeting with the Cities' staff to discuss the program and show a demonstration vehicle that will be deployed prior to permit approval

Social Equity and Engagement:

Vehicle Share operators must be willing to meet quarterly and cooperate with the goals of the Cities and their partners regarding social equity and access to the vehicle share program. The Vendor should be willing to cooperate to ensure all residents have access to this program. Additional education, marketing, and engagement with low income, minority, non-English

speaking, and zero-car populations is strongly preferred to ensure those who stand to benefit most from this tool for mobility and access have the opportunity to use the system.

- Vehicles will be available at rates that are clearly and understandably communicated to the customer prior to use.
- Vehicle Share operators are responsible for educating the public on the vehicle share program, and on how to use vehicles safely.
- Vehicle Share operators are required to have a non-smart phone option to use the vehicle share system.
- Vehicle Share operators are required to have a non-credit card option to use the vehicle share system.

Data:

Vehicle Share companies must be willing to share data with the Cities and their partners in a manner that does not endanger the privacy of citizens.

- A record of maintenance activities will be kept, including but not limited to vehicle identification number and maintenance performed. This information will be sent to the Cities monthly.
- A record of reported collisions will be kept and sent to the Cities monthly.
- A list of vehicles deployed, listed by unique identifier, will be sent to the Cities monthly.
- A report of lost, stolen and vandalized vehicles will be sent to the Cities monthly.
- A report on the implementation of the Vehicles Share operator's education, marketing and engagement plan, will be sent to the Cities monthly.
- Vehicle Share operators must be willing to distribute a customer survey, to be provided to the Cities, to all users and non-users at a maximum frequency of yearly.
- Anonymized data regarding the number of vehicle share customers and trips will be provided to the Cities via an API including: daily and weekly rides, daily and weekly unique riders, hourly rides, daily and weekly app users, and trip information as follows:

| Field Name | Format |
|--------------------|------------------|
| Company Name | [company name] |
| Trip Record Number | 0001, 0002, |
| Trip Duration | MM: SS |
| Trip Distance | Mile |
| Trip date | MM, DD, YYYY |
| Start Time | HH |
| Start Location | Census block |
| End Location | Census block |

- The following vehicle availability data for oversight of parking compliance and vehicle distribution by minutes will be provided to the city:

| Field Name | Format |
|-------------------------|--------------------------------|
| GPS Coordinate | X, Y |
| Availability Duration | Minutes |
| Availability Start Date | MM, DD, YYYY |
| Availability Start Time | HH:MM:SS (00:00:00 – 23:59:59) |

In recognition of the Cities' commitment to protecting residents' privacy, Vehicle Share companies may elect at any time to instead provide data to a designated research entity conducting research on privacy protection in transportation data; such as the University of Washington's Transportation Data Collaborative.

Data sharing must follow the research entity's own Institutional Review Board (IRB) and information compliance requirements. The specifications for the dataset provided to the research entity are to be determined by a data sharing agreement between the Vehicle Share company and the research entity. Vehicle share companies electing this option recognize that the research entity will provide robust privacy protected data for use by the Cities, specified in a data use agreement, to which Vehicle Share companies and the Cities will have input.

Termination:

- The Cities have the right to amend the permit during the course of the permit term. The Cities will notify all permit owners of the change and the reasonable time period within which to comply. If compliance is not achieved within the time period, then the Cities have the right to terminate the permit. Reapplication once the new criteria is met is allowed at any time.
- The Cities reserves the right to terminate permits at any time and require that the entire fleet of vehicles be removed. The decommissioning shall be completed within thirty (30) days unless a different time period is determined by the Cities.
- Upon receiving notice of permit termination, the permit holder has the right to appeal the decision to the Operations Superintendent. A request for appeal must be provided in writing to the Operations Superintendent no less than seven (7) days after receiving the termination letter via certified mail.
- Any permit holder not satisfied with the Operation Superintendent's decision may request a final appeal hearing before a panel of the all three Cities' City Managers/City Administrators. Such hearing shall be set before the end of the thirty (30) day decommissioning period set by the Cities in the original notice provided via certified mail. The decision made by the City Managers/City Administrators panel shall be final.

Liability and Insurance:

- The Vehicle Share operator will be liable for, and shall indemnify, defend and hold the Cities and their officers, agents, and employees harmless from, any and all claims or damages to persons or property by reason of the design, installation, operation, maintenance or promotion of the System.
- The Vehicle Share operator will be required to procure and maintain, at its sole cost and expense, the following types of insurance from an insurance company acceptable to the Cities:
 - A. Commercial General Liability Insurance in the amount of three million dollars (\$3,000,000) aggregate and three million dollars (\$3,000,000) per occurrence in the Company's name, and naming the Cities and their officers, agents and employees as additional insureds thereunder, and endorsed to cover the liability assumed by the Company
 - B. Workers' Compensation Insurance in accordance with applicable Missouri State law
 - C. Employers' Liability Insurance in accordance with applicable Missouri State law
 - D. Automobile Liability Insurance in the amount of one million dollars (\$1,000,000) aggregate and one million dollars (\$1,000,000) per occurrence and naming the Cities and their officers, agents, and employees as additional insureds.
- Policies specified in A., B. and D. above shall name the City as an "additional insured" and shall contain a provision that such policy cannot be amended or terminated without fifteen (15) days prior written notice to the City.

Fees:

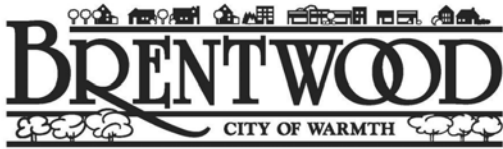
| | | |
|--------------------|-----------------------|---|
| Annual Permit Fee | \$1,725/year | Administration of the Permit |
| Annual Vehicle Fee | \$10 per unit/ yearly | Infrastructure changes: converting parking spaces to dedicated vehicle share parking, moving street furniture, and putting up signage |

Permit application:

Permit applications must be succinct and all pages must be numbered. Boilerplate and glossy promotional materials are discouraged; any materials deemed necessary should be included as a separate appendix and may or may not be considered as part of the evaluation. All components of the permit application shall be on 8.5" x 11" pages with the exception of two to three pages depicting imagery, mapping, etc. which may be on 11" x 17" pages. Font size shall be limited to 10 point font or larger with single line spacing.

Required Attachments:

- ✓ Synopsis of Vehicle Share operator service model and qualifications, including images of the vehicle and mobile application
- ✓ Schedule for implementation and phases of expansion, including the size of fleet and service area at launch, and the size and service area of any planned fleet expansions
- ✓ Organizational structure for the vehicle share program, including title, and their specific responsibilities on the project.
- ✓ Screenshot illustrating how customers will be notified through a mobile and web application of the following:
 - People on Vehicles are encouraged to wear helmets
 - People on Vehicles must follow all traffic laws
- ✓ Plan for providing an equitable vehicle share service, including education, marketing, and engagement with the community as a whole, with an additional component for low income, minority, non-English speaking, and zero-car populations. This may cover such topics as How to Use Vehicle Share, Vehicle Safety and Vehicle Laws.
- ✓ Proof of general commercial liability insurance as specified herein
- ✓ Indemnity Agreement (attachment provided by city)
- ✓ Plan for educating users on proper vehicle parking
- ✓ Description of pricing structure, rates, and methods of communication to the customer illustrating how the vehicles will be available at rates that are clearly and understandably communicated to the customer prior to bicycle use
- ✓ Documentation of how users without a smartphone can use the vehicle share system
- ✓ Documentation of how users without a credit card can use the vehicle share system
- ✓ Documentation of how a sufficient number of vehicles will remain in the Vehicle Share Social Equity
- ✓ Permit application fee of \$1,725.



Permit #: _____

Date Issued: _____

Parks & Recreation Department
2505 S. Brentwood Blvd., Brentwood, MO 63144
314-963-8689 / Fax 314-962-8125
www.brentwoodmo.org

Shared Small Vehicle Permit

| Operator Information | |
|----------------------------------|--|
| Name of Share Operator Applicant | |
| Contact Name | |
| Address | |
| Phone Number | |
| Email Address | |
| Website | |

| Type of Application | | |
|---------------------|---|-----------|
| New | Renewal (no changes from prior application) | Amendment |

| Local Operations Information | |
|------------------------------|--|
| Contact Name | |
| Mailing Address | |
| Phone Number | |
| Email Address | |

Certification: I (We), the undersigned, do hereby make an application for a Shared Small Vehicle Permit, and understand all the required information must be supplied for this application to be considered complete and valid. Additionally, the shared small vehicles will operate under the requirements outlined in the permit application.

Owner Signature

Date

-over-

Permit Requirements

Applicant certifies that all vehicles used in the proposed small vehicle share system do and meet the following criteria (please initial):

- _____ All bicycles meet the standards outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles, as amended.
- _____ All bicycles meet the safety standards outlined in ISO 43.150 – Cycles, subsection 4210, as amended.
- _____ All vehicles meet the light requirements as described in *Missouri Statute 307.185 Lights and Reflectors, When Required – Standards To Be Met, Lamps on bicycles*, specifically that all vehicles have lighted lamps on the front and rear lamps or reflector visible from a distance of at least 300 feet under normal atmospheric conditions at night.
- _____ Vehicles shall not be parked in a way that impedes the regular flow of travel in the public way.
- _____ Vehicles parked in violation of the permit or the City Code of the Cities of Brentwood, Maplewood or Richmond Heights shall be re-parked in a correct manner or removed in accordance with the time periods outlined in the Permit Requirements.
- _____ Vehicles shall be upright when parked.
- _____ Vehicles shall not be parked in one location for more than 7 consecutive days.
- _____ Contact information of the vehicle share operator is on every vehicle include the website and phone number.
- _____ Vehicles will be available at rates that are clearly and understandably communicated to the customer prior to use.
- _____ Vehicles will have a unique identifier that is visible to the user.
- _____ Distribution of vehicles will be rebalanced daily.
- _____ Vehicles not safe to operate will be removed from the public way within 24 hours of notice and repaired before being put back into service.

Applicant certifies the proposed vehicle shared system meet the following operational criteria (please initial):

- _____ Customers will be notified of local traffic laws.
- _____ Customers will be educated on how to safely operate the specific vehicle in the city.
- _____ Communication will be sent to customers if the vehicles are left in non-permitted areas.
- _____ A staffed operations center will be established prior to permit issuance.
- _____ Customers without a smart phone are able to use the vehicle shared system.
- _____ Customers without a credit card are able to use the vehicle shared system.
- _____ The desired maximum fleet size is 250 vehicles, equally distributed amongst all three cities. It is understood that the fleet size will not exceed 100 vehicles during the first month of the permit.
- _____ Anonymized data regarding the number of vehicle share customers and trips will be provided to the Cities via an API including: daily and weekly rides, daily and weekly unique riders, hourly rides, daily and weekly app users, and trip information as follows:

| Field Name | Format |
|--------------------|------------------|
| Company Name | [company name] |
| Trip Record Number | 0001, 0002, |
| Trip Duration | MM: SS |
| Trip Distance | Mile |
| Trip date | MM, DD, YYYY |
| Start Time | HH |
| Start Location | Census block |
| End Location | Census block |

- _____ The following vehicle availability data for oversight of parking compliance and distribution by minutes will be provided to the city:

| Field Name | Format |
|-------------------------|--------------------------------|
| GPS Coordinate | X, Y |
| Availability Duration | Minutes |
| Availability Start Date | MM, DD, YYYY |
| Availability Start Time | HH:MM:SS (00:00:00 – 23:59:59) |

_____ A record of maintenance activities will be kept, including but not limited to vehicle identification number and maintenance performed. This information will be sent to the Cities monthly.

_____ A record of reported collisions will be kept and sent to the Cities monthly.

_____ A list of vehicles deployed, listed by unique identifies

Office Use Only

Approved by:

Building Official: _____

Operations Superintendent: _____

Approved: _____

Denied: _____

Date: _____

Comments: _____



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: JANET K. WATSON, INTERIM CITY MANAGER
JUNE FRAZIER, CITY CLERK
DATE: JULY 28, 2020
SUBJECT: APPOINTMENTS TO BOARDS AND COMMISSIONS

The following individuals have expressed interest in being appointed to or continuing to serve as a member of the following Boards or Commissions of the City. Mayor Harris has reviewed and agrees with the recommendations for appointment or reappointment to the respective Board or Commission and, therefore, submits the following nominations for the Board's consideration.

Board of Appeals

Helen DiFate Ward 3 (new appointment completing a term through June 30, 2021)-replaces
B.McCoolle

Board of Adjustment

Abby Goldstein Ward 1 alternate (new appointment for 5-yr term through June 30, 2025)

City Plan Commission/ARB

Helen DiFate Ward 3 (reappointment for a 3-yr term through June 30, 2023)

Community Equity Commission

Nicki Bissel Ward 2 (new appointment for a 3-yr term through June 30, 2023)-replaces *A. Sheble*
Stuart Berkowitz Ward 2 (reappointment for a 3-yr term through June 30, 2023)

Economic Development Advisory Committee

Bill Schute Ward 1 (reappointment for a 3-yr term through June 30, 2023)
Anthony Kirk Ward 1 (new appointment completing a term through June 30, 2021)-replaces *E. Wang*
Ann Vasquez Ward 2 (reappointment for a 3-yr term through June 30, 2023)
Jeff Yorg Ward 2 (new appointment for 3-yr term through June 30, 2023)-replaces *C. Brennan*
Mary Corcoran Ward 3 (new appointment for a 3-yr term through June 30, 2023)-replaces *R. Kerr*
Norton Hoffman Ward 3 (reappointment for a 3-yr term through June 30, 2023)
*NOTE: A chairman will need to be appointed.

Parks & Recreation Commission

Missy McCormick Ward 2 (reappointment for a 3-yr term through June 30, 2023)
Karen Berry Elbert Ward 3 (new appointment for a 3-yr term through June 30, 2023)-*D. LaGessee*
Matt Durham Ward 2 (new appointment for a 3-yr term through June 30, 2023)-replaces *E. Schneider*
Melanie Tamsky Appointment as Chairman

Public Art Advisory Committee

| | |
|-------------|--|
| Dwyer Brown | Ward 1 (reassigned to replace C. Colangelo, term expires 2021) |
| Jacob Reby | Ward 3 (reappointment for a 3-year term through June 30, 2023) |

Recommendation: To consider the appointments.